

TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984

s.23 application for award or variation of award

Police Association of Tasmania

(T10882 of 2003)

POLICE AWARD

COMMISSIONER T J ABEY

HOBART, 5 June 2003

**Award variation – expense related allowances – application granted – operative
date ffpp 5 June 2003**

ORDER BY CONSENT -

No. 1 of 2003

AMEND THE **POLICE AWARD** IN THE FOLLOWING MANNER:

By deleting Clause 11 - Expense Allowances, and inserting in lieu thereof the following:

"11. EXPENSE ALLOWANCES

11.1 Camping and Sea Victualling Expense Allowance

11.1.1 Where, in the performance of duties, a member is either required to camp, and tents or other means of accommodation are provided, or if the member is required to proceed to sea, and is away from the member's normal place of residence overnight, the member shall be paid a camp or sea victualling allowance, as the case may be, in accordance with the following rates for each 24 hour period of absence:

Where a cook is provided:	\$24.70
Where a cook is not provided:	\$46.00

11.1.2 For a period of absence overnight involving less than a 24 hour period a minimum allowance of the following shall apply:

Where a cook is provided:	\$19.75
Where a cook is not provided:	\$36.70

11.1.3 The provisions of this clause shall not apply to any members engaged in a recruit course, in-service training course or other activity deemed by the Superintendent, Human Resources to be a training activity and who are supplied with meals, either cooked or uncooked, by the Controlling Authority.

11.2 Incidental Expenses on Training Courses

11.2.1 A member, except recruits undergoing recruit training, required or authorised to attend a training course, conference or similar function where full board and accommodation is provided at no cost to the member and the member stays overnight, shall be paid incidental expenses at the rate of \$15.00 within Tasmania and \$20.90 outside Tasmania for each overnight stay.

11.3 Rental Expenses

11.3.1 Alonnah, Currie, Lady Barron and Whitemark

A member at Alonnah, Currie, Lady Barron and Whitemark police stations and residing in accommodation provided by the Controlling Authority, shall pay a rental for such premises not exceeding \$15.00 per week.

11.3.2 Queenstown, Rosebery, Strahan, Tarraleah, Waratah and Zeehan

A member at Queenstown, Rosebery, Strahan, Tarraleah, Waratah and Zeehan police stations, and residing in accommodation provided by the Controlling Authority, not being single hostel accommodation in accordance with subclause 11.5 herein, shall pay a rental for such premises not exceeding \$20.00 per week.

11.4 Isolated Area Expense Allowance

11.4.1 The purpose of this allowance is to compensate for excess costs necessarily incurred by a member living in an isolated area and without limiting the foregoing includes partial reimbursement for STD phone calls, freight, fuel and depreciation costs.

11.4.2 Where a member is stationed permanently at one of the following stations he or she shall, on the determination of the Controlling Authority, be paid an allowance in accordance with the following rates:

(a) Alonnah, Currie, Lady Barron and Whitemark

A member with dependent relatives \$2928 per annum;
residing with him or her:

Other (no dependants): \$1461 per annum.

(b) Queenstown, Rosebery, Strahan, Tarraleah, Waratah and Zeehan

A member with dependent relatives \$1461 per annum
residing with him or her:

Other (no dependants): \$732 per annum.

(c) Gladstone

A member with dependent relatives \$732 per annum
residing with him or her:

Other (no dependants): \$371 per annum

11.5 Single Accommodation Expenses at Remote Police Stations

11.5.1 A member at a police station identified at subclauses 11.3 and 11.4, residing in single hostel accommodation, shall pay a rental of no more than \$10.00 per week. In addition, members residing in such accommodation shall be entitled to receive a light and power subsidy of not more than \$500 in any one financial year.

11.6 Meal Expense Allowance

11.6.1 Where a member, not being an officer is, required to travel from his or her usual station on authorised duty and the member is more than 60 kilometres therefrom between the fourth and sixth hours of the member's shift, the member shall be paid a meal allowance of \$8.80.

11.6.2 Where an officer is required to travel in the performance of duties and this officer is more than 60 kilometres from his or her usual headquarters station during a meal break of a shift the officer shall be reimbursed for reasonable actual expenses for a meal, provided the payment of this allowance is dependant on less than 24 hours' notice and expenses are actually incurred.

11.6.3 When a member, being a Constable or Sergeant, continues authorised duty for a period in excess of two hours' duration immediately following the member's rostered duty or two hours in excess of normal hours on a rostered day off, the member shall be paid a meal allowance of \$8.80.

11.6.4 The exception to this is where the excess work detailed above is performed over the full dinner period from 6.00pm to 7.30pm. In such cases the payment will be \$16.75.

11.6.5 Where an officer continues duty in excess of two hours' duration immediately following, or where an officer is required to commence duty two hours prior to rostered duty, or two hours in excess of normal hours on a rostered day off, the officer shall be reimbursed for reasonable actual expenses for a meal. Payment of this allowance is dependant on un-programmed and/or additional work and actual expenses being incurred.

PROVIDED that the officer is not entitled to a meal allowance or meal expense when the officer continues to work on programmed and/or normal work.

11.6.6 Where a member works a further period of authorised continuous overtime duty beyond that outlined in paragraph 11.6.4 above, he or she shall be paid a meal allowance of \$8.80 for each additional five hours' overtime worked.

11.6.7 Where a member commences authorised duty in excess of two hours before the commencement time of his or her normal rostered duty, he or she shall be paid a meal allowance of \$8.80.

11.6.8 Meal expenses in excess of or at variance with the rates set out in this clause may be paid if, on the determination of the Controlling Authority, special circumstances exist which justify the excess or variation.

11.6.9 This clause does not apply to members receiving an allowance under subclause 11.1 - Camping and Sea Victualling Expense Allowance and subclause 11.9 - Overnight Expense Allowance.

11.7 Motor Vehicle Expense Allowance

11.7.1 A member:

- (a) authorised or directed by a duly authorised senior officer to use; or
- (b) on approved leave in an area which in the opinion of the Controlling Authority is distant from his or her usual place of residence and is directed to interrupt such leave for purposes associated with the member's service and is authorised to return to use his or her private motor vehicle in the performance of the member's police duties, or to the member's home centre in the member's private motor vehicle,

shall be paid an allowance for use of the member's private motor vehicle in accordance with the following rates:

Annual Kilometreage Travelled on Duty	Rate A 2.00 Litres or more	Rate B Less Than 2.00 Litres
	Cents per km	Cents per km
First 10,000 km	40.24	34.61
Any additional kms	21.33	18.51

11.7.2 This clause is to operate in respect of kilometreage travelled in any one financial year.

11.7.3 These rates shall be adjusted in accordance with the kilometreage rates contained in the General Conditions of Employment Award of the Tasmanian Industrial Commission.

11.8 Out of Pocket Expense Allowance

11.8.1 A detective or a member performing duties within the CIB and Licensing Squad, or any other member approved by the Controlling Authority, shall be paid \$1524 per annum for out-of-pocket expenses that are regularly incurred as part of the requirements of the duties performed.

11.8.2 Notwithstanding paragraph 11.8.1, a member may be reimbursed additional out-of-pocket expenses at the discretion of the Controlling Authority.

11.9 Overnight Expense Allowance

11.9.1 Members travelling on duty who are required to remain away from their normal place of residence overnight shall be paid an allowance calculated in accordance with the following components:

Component	Within Tasmania \$	Outside Tasmania \$	Sydney \$
Overnight Absence from Normal Place of Residence	85.20	119.15	139.15
Breakfast (preceding or following an overnight absence) applicable hours 7.00am - 8.30am	13.90	13.90	13.90
Lunch (preceding or following an overnight absence) applicable hours 12.30pm - 2.00pm	12.40	12.40	12.40
Dinner (preceding or following an overnight absence) applicable hours 6.00pm - 7.30pm	26.45	26.45	26.45

PROVIDED that if the member so wishes, he or she shall be allowed advance payment of the estimated allowance payable for the period of travel in question.

11.9.2 In addition to the allowance available in accordance with paragraph 11.9.1 and provided the Controlling Authority is satisfied that the member did incur the expense claimed, a member shall be entitled to reimbursement of reasonable expenses incurred, as a result of his or her absence from the normal place of residence, for the following purposes:

(a) a reasonable length telephone call to the member's spouse and children each 24 hours;

(b) dry cleaning or laundry required as the result of an extended absence.

11.9.3 Notwithstanding paragraph 11.9.1 where the Controlling Authority is satisfied that no reasonable alternative accommodation is available, the member may be reimbursed for actual expenses incurred.

11.9.4 Where a member travels with a Judge or a Minister or in a representative capacity for the State, or on special duties as determined by the Controlling Authority, and thereby incurs additional expense, the member may be paid such travelling allowance as may be determined by the Controlling Authority.

11.9.5 A travelling allowance in excess of or at variance with the rates set out above may be paid if, on the determination of the Controlling Authority, special circumstances exist which justify such excess or variation.

11.9.6 A member required to travel in the performance of his or her duties:

(a) within Australia or Papua New Guinea or New Zealand - by ship, aircraft, railway train, or other means of conveyance, where he or she is provided with meals and sleeping quarters, that member, while so travelling, shall be paid a travelling allowance at the rate of:

Rates per Day

Within Tasmania \$15.00

(ii) Outside Tasmania \$20.90

(b) outside Australia, Papua New Guinea or New Zealand - that member, while so travelling, shall be paid a travelling allowance at such rate as the Controlling Authority has approved.

11.9.7 The allowance prescribed in this clause shall not be paid beyond three weeks unless the Controlling Authority is satisfied that the member did in fact incur the expenses claimed.

11.9.8 The rates in this subclause will be adjusted in accordance with the travelling allowance rates contained in the relevant clause of the General Conditions of Employment Award of the Tasmanian Industrial Commission.

11.10 Plain Clothes Expense Allowance

11.10.1 A member required by the Controlling Authority to perform duties necessitating the wearing of Plain Clothes, including members who are pregnant and the Controlling Authority approves wearing of plain clothes, shall be paid as prescribed in the following categories:

- (a) Members, as the Controlling Authority determines, who are regularly required to wear plain clothes due to the nature of their duties will be paid \$1758 per annum.
- (b) Members who are provided with protective clothing will be paid \$1121 per annum.
- (c) Members on permanent transfer to plain clothes duty in category (a) above may be paid an initial advance payment of \$879.
- (d) Members required by the Controlling Authority to wear plain clothes on an occasional basis will be paid \$6.85 per day.

11.11 Relieving Expense Allowance

11.11.1 A member absent from his or her usual station, and required to reside away from his or her normal place of residence for a period in excess of seven days relieving or assisting another member, shall be entitled to the following:

Where full board and lodgings are provided by the Controlling Authority:

- (a) Rate per day for the first six weeks of \$15.00 duty:
- (b) Thereafter such rate as the Controlling Authority may determine.

Where only accommodation is provided by the Controlling Authority:

- (a) Rate per day for the first six weeks of \$48.05 duty:
- (b) Thereafter such rate as the Controlling Authority may determine.

PROVIDED that Relieving Expenses at variance with the above rate may be paid if, on the determination of the Controlling Authority, special circumstances exist which justify such variation.

PROVIDED FURTHER that if while relieving or assisting at another station, a member is required to pay a retention fee for the accommodation the member rents while attending his or her usual station, the amount of that retention fee shall be paid in addition to any amount otherwise payable pursuant to this clause. Provided that the cost of such retention has been certified by the officer-in-charge at the member's usual station.

11.12 National Common Police Services and National Development Programs

11.12.1 National Common Police Services

A member required to perform duty outside Tasmania as a seconded member of a national common police service may be entitled to one return economy fare each year to his or her station. This applies to the member and dependants of the member travelling with that member.

11.12.2 This entitlement is not cumulative, each year shall stand alone.

11.12.3 A member shall be eligible to receive payment for the return economy fares as prescribed in paragraph 11.12.1 provided that member has completed three months' continuous service with the National Common Police Service.

11.12.4 A member required to perform duty outside Tasmania as a seconded member of the Australian Bureau of Criminal Intelligence or the National Crime Authority shall be charged rental of not more than \$20.00 per week while occupying accommodation of a standard approved by the Controlling Authority.

11.12.5 A member required to perform duty outside Tasmania as a seconded member of a National Common Police Service shall be paid at a minimum of Constable Level 11 as provided at subclause 8.1 - Salaries, or the

member's substantive rank, which ever is greater, for the period of the seconded duty, and shall be subject to the allowances normally received.

11.12.6 National Development Programs

Where a member attends an interstate development program, approved by the Controlling Authority, of at least seven weeks' duration, that member will be reimbursed one economy return air fare for the purpose of a reunion visit within the duration of the program."

Operative Date

This variation shall come into operation from the beginning of the first full pay period to commence on or after 5 June 2003.

Tim Abey
COMMISSIONER

5 June 2003